

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

February 2, 1990

Mr. Robert N. Confer
New Jersey Department of Environmental Protection
428 E. State Street
CAN 414
Trenton, NJ 08625

Dear Mr. Confer:

Thank you for your letter requesting information on behalf of the New Jersey Veterinary Medical Association regarding the exclusion of syringes from regulation as medical waste. As you are aware, regulated medical waste generated in a covered State can become excluded from regulation under 40 CFR Part 259, if the items have been treated and destroyed as noted in Section 259.30 (b) (1) (iv).

Treated regulated medical waste is defined as medical waste that has been treated to substantially reduce or eliminate its potential for causing disease, but has not yet been destroyed. Medical waste which has been destroyed must be ruined, torn apart, or mutilated through a process such as thermal treatment, melting, shredding, grinding, tearing or breaking, so that it is no longer generally recognizable as medical waste (See 40 CFR 259.10).

Although the technique described in Mr. Alampi's letter, breaking the needle from the syringe hub and removing the nipple from the barrel, could be interpreted as "breaking" the syringe, it appears unlikely that the remaining syringe barrel would be unrecognizable as a medical waste. Separation of the plunger from the barrel would not be an adequate technique to "destroy" the syringe as required by the "treat and destroy" exclusion found in Section 259.30 (b) (1) (iv). Even though this technique described may be required by New Jersey State regulations, it does not meet the requirements for exclusion from the Part 259 medical waste regulations. Therefore, these materials would still be considered a regulated medical waste.

Thank you for your interest, and if you need additional information please contact Mary Greene at 202-475-7736.

Sincerely,

Devereaux Barnes, Director
Characterization and Assessment Division

FaxBack # 11488